

**Town of Rowe**  
Board of Selectmen – Minutes  
Wednesday, November 14, 2018 – 6:30 pm  
Rowe Town Hall - Hearing Room 1

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**Call to Order:** The meeting was called to order by Chair Morse at 6:30 p.m.

**Present:** Chair Jennifer Morse, Vice-Chair Dennis May and Executive Secretary Janice Boudreau  
**Absent:** Member Sokol  
**Finance Committee Members:** Wayne Zavotka and Loretta Dionne  
**Town Counsel** Donna MacNicol  
**Audience:** Kerri McLatchy

**OPEN MEETING**

Announcement of recording devices & noteworthy information- one recording device  
Chair Morse offered congratulations to Jordon Rice and Erin Laffond who were awarded the Abigail Adams Scholarship providing tuition waivers for MA undergraduate education.  
Congratulations to Brittany Sprague and Robert Tanner on the birth of their twins.

**APPOINTMENTS & JOINT MEETING WITH FINANCE COMMITTEE**

6:30pm – Donna MacNicol - Insurance discussion with Finance Committee:

Town Votes Related to Insurance:

Ms. MacNicol explained that all of the laws under MA General Law (MLG) Chapter 32B were subject to local acceptance. There was no record of Rowe voting to provide a plan of contributory group insurance under (MGL) Chapter 32B Section 10 to say the town would provide insurance. There is no record that the town adopted Chapter 32B § Section 7 which says that the town would pay 50% of the premiums for insurance for employees and dependents.

Town Counsel Donna MacNicol reviewed votes that were found to be taken by the town pertaining to insurance:

- a.) 05-03-1973 : Article 15 (Town Meeting Vote) Increase town's share of Group Insurance Premiums from 50% to 75%. (unanimous) She explained that this vote, or determination of percentage of contribution, was up to the Select Board. Since the vote was at town meeting, she thought that the courts would treat that as the adoption of the Chapter 32A section § 7 vote in which the town votes to pay 50% of the premiums employee for insurance. The Select Board, however, is the proper authority for establishing this vote.
- b.) 10-15-1974: Article 3 (Town Meeting Vote) Town pay 50% of Group Benefit Premiums for retirees. (passed – yes 26, no 01) (pertains to adopting 32B §9A)
- c.) 05-09-1988: Article 19 (Town Meeting Vote) Increase town's share of insurance premiums for retired employees from 50% to 75%. (passed – unanimous) (pertains to adopting 32B §9e) Ms. MacNicol said the Select Board is the proper authority to establish this vote.
- d.) 06-21-1990: Article 7 (Town Meeting Vote) premium cost of surviving spouse of employee or retiree. (passed – unanimous) (pertains to 32B §9d)
- e.) 06-21-1990: Article 8 (Town Meeting Vote) In addition to the 50% in Article 7 above, pay additional percentage, not to exceed percentage paid for employees or retirees. (passed – unanimous)

- f.) 05-14-2007: Article 26 (Town Meeting Vote) Increase employee contribution for insurances (health, dental, life, medicare) from 15% to 25% [citizen petition] (defeated – majority)

She further explained that in order to reduce the amount of town contribution the town would have to negotiate with any union. There is no authority to change the contribution without the union's approval.

Ms. MacNicol opined that since Rowe has been paying the premiums since 1973, it is likely that the courts would uphold that amount due to the history even though the votes could not be located. She explained that there is no provision in the law to reduce the town's contributions at this point.

It was agreed that local acceptance statutes pertaining to raising the insurance contribution in which Select Board's votes could not be found would be reviewed and voted on in the near future and that Ms. MacNicol would send the exact language for the appropriate votes so the record could be brought to proper order.

Facebook Disclaimers (Fire, Library, Park, Police): Town Counsel will review and respond.

FY19 Tax Rate: Chair Morse said she would contact the Board of Assessors to find out about the progress with setting the tax rate.

Ms. MacNicol, Finance Committee Members and Audience left the meeting at 7:35 p.m.

## MINUTES

1. Minutes of October 30, 2018: tabled until next meeting  
Vice-Chair May inquired about the retention of recorded meeting minutes. Executive Secretary said she had reviewed the retention of recorded meeting minutes and draft copies of minutes and said they could be discarded once the meeting minutes are approved. Ms. Boudreau said she would provide documentation to verify.

## OLD BUSINESS

1. MLP Update:
  - a.) Drop Policy; None provided
  - b.) Accounting – It was noted that Town Accountant set up a meeting with Tom Scanlon of Scanlon Associates who performs the town audits to meet with David Dvore and a member of the Select Board to review how to proceed with the accounting once the broadband project is completed and functioning. A date is yet to be established.
  - c.) It was noted that the 'Green Light Letter' had come through confirming Rowe can borrow money as voted on at Town Meeting for the Broadband project.
2. Continue Discussion about Reducing Number of Streetlights: Ms. Boudreau provided a list of abutters for the streetlights discussed at last meeting. Chair Morse postponed further discussion could when Member Sokol returns.
3. Police Chief and Police Officer Job Descriptions – Tabled until 11-28-18

4. Executive Secretary Job Description: Select Board members reviewed the Executive Secretary Job Description. Following discussion, Chair Morse said she wanted to see other examples from area towns and review again at next meeting.

There was discussion about the need to update the Job Description of the Tax Collector prior to the term expiration.

6. Gracy House Update – Appoint Committee Members: Tabled until the Gracy House report is reviewed from the Dept. of Public Health.
7. Website Training and Updates: Executive Secretary said she had been in contact with the website designer and that he was having difficulty with the domain providers and was working on resolving the issue.

There was discussion about posting meetings on the website and that the official posting location for the town would remain at the town hall, that the website would not be the official location. Discussion continued about how to best see that all meetings are posted correctly. It was agreed Chair Morse would review the process with Town Clerk.

8. Highway Seasonal Truck Driver: Chair Morse said there were no applicants for the position of the Seasonal Truck Driver and that Lev Hardison agreed to fill in for the upcoming storm. Chair Morse said she was continuing to work on a job description for a position that could encompass several needs, such as the seasonal driver, facilities maintenance and supervision of the 'Grasshopper' Summer Youth program and would present to the Board for further discussion.

## **NEW BUSINESS**

1. Blood Borne Pathogen Policy, DICO Appointment to Fire Department – Review Drafts: It was agreed to review at a later date and have Fire Chief explain further.
2. Municipal Financial Assistance (DOR) Memo Request- Study of Town Hall Staff and Feasibility Study. Looking at all Admin Positions, Treasurer, Tax Collector, Assessors Clerk - Feasibility of Town Administrator and Assistant Assessor Positions: Chair Morse said she had contacted the Municipal Financial Assistance Division of MA Dept. of Revenue who offer a free evaluation of operations and systems to perform an analysis of Town Hall positions. They would interview current employees, boards and committees and offer recommendations to improve town government functions. They would come out in January and provide results by February 2019.

**Motion to Conduct Study**: Vice-Chair May made a motion to have Municipal Financial Assistance Division of MA Dept. of Revenue conduct a feasibility study of Town Hall Staff and Town Boards and Committees and provide recommendations. The motion, seconded by Chair Morse was accepted. (2/0/1)

3. Winterizing Town Hall and Special Projects: There was discussion about requesting the Custodian to perform duties not in her job description. It was agreed that any projects not

in the Custodian's job description be presented to the Select Board for approval. There was further discussion about the ordering process of supplies. It was agreed that Executive Secretary work out the details with the Custodian.

4. Administrative Clerk to Administrative Assistant Job Title: Chair Morse said she would like to see the position title be changed for the Administrative Clerk to Administrative Assistant. It was agreed to change the title to Administrative Assistant.
5. Fire/EMS Department and Police Department Regionalization Discussion: Select Board members discussed Fire/EMS Dept. and Police Dept. Regionalization. It was agreed that the Police regionalization did not offer any significant benefits. Chair Morse reported that Fire Chief was continuing discussions with area fire departments and regionalization as the mutual aid and training was working in a good direction.
6. Yankee Road Survey: Select Board Members reviewed the Yankee Road survey and boring reports. No action was required at this time.
7. Energy Credits for Wood Heating System: Chair Morse said Highway Superintendent was contacted by Hampshire Council of Governments (HCG) about alternative energy credits which could reduce the cost of the pellets he purchases for the DPW pellet boiler. It was agreed that Executive Secretary would research to determine applicability to Rowe.
8. All Board Meeting: Chair Morse reported the All Board Meeting on November 5<sup>th</sup> went well and that she would like to see another one take place before Annual Town Meeting.
9. Outreach for Broadband Signup: Chair Morse reported that she had worked with MLP Manager David Dvore and Ellen Miller to plan various outreach efforts including mail, email, have information on the town website, and robo calls to encourage residents to sign up for Broadband.

#### **EXECUTIVE SECRETARY UPDATES**

1. Refridgerator Bid: Janice Boudreau said the surplus property notice did not make the November Goal Post so will try to have it listed in the December issue.
2. Gracy House Check: Ms. Boudreau said there is a need to check heating system periodically since no one is to enter Gracy House. Chair Morse said she would ask Fire Chief to do so.
3. ACO – next meeting: Ms. Boudreau reported attending a meeting working on a plan for a regional animal control officer and would present information at next meeting.
4. Animal Inspectors: Ms. Boudreau said she had spoken with the Town Administrator from Charlemont who is going to ask their animal inspector whether they are interested in serving in Rowe.

#### **MAIL & CORRESPONDENCE**

1. Letter from Citizen: A letter was read from John Magnago. No action to be taken.

2. Citizen Request re: Speed Indicator: A citizen requested a speed indicator. It was agreed to speak with Police Chief about patrolling since Rowe does not own a speed indicator.

**Warrants:** FY19 W11 Payroll FY19 W10

Chair Morse invoked the Rule of Necessity since she had a family member on the payroll.

Vice-Chair May invoked the Rule of Necessity since he had a family member on the payroll.

**Adjournment:** Seeing no further business, Chair Morse made a motion to adjourn the Meeting at 9:19 p.m. The motion, seconded by Vice-Chair May, was accepted. (2/0/1)

Janice Boudreau  
Executive Secretary

Approval Date: November 28, 2018

Approved:

Jennifer Morse.  
Jennifer Morse, Chair

Dennis May  
Dennis May, Vice-Chair

Chuck Sokol, Select Board Member

**Documents:**

- Agenda 11-14-18
- Draft Minutes 10-30-18
- Insurance Documents
- Executive Secretary Job Description
- Blood Borne Pathogen Policy
- Hazardous Exposure Form
- Yankee Road Survey Plan Original
- Topographic Survey Yankee Road
- Facebook Disclaimers

**Mail:**

Letter from John Magnago  
Email from Bill Baker